

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSE ROSALES, et al.,

Plaintiffs,

No. C 12-03776 JSW

v.

BANK OF AMERICA, N.A., et al.,

Defendants.

**ORDER DISCHARGING ORDER  
TO SHOW CAUSE**

On September 9, 2013, the Court issued an Order to show cause ("OSC") why this case should not be dismissed for failure to prosecute. The Court directed Plaintiffs to file their response to the OSC and to demonstrate their good cause for their failing to file their response to the motion to dismiss in a timely manner. Plaintiffs did not respond to the OSC or demonstrate good cause. Instead, Plaintiffs simply filed an opposition to the pending motion to dismiss. Although Plaintiffs did not demonstrate good cause, because Plaintiffs are *pro se*, the Court hereby discharges the OSC and will consider their opposition to the motion to dismiss. Defendants may file a reply brief by no later than November 6, 2013.

**IT IS SO ORDERED.**

Dated: October 30, 2013

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JOSE ROSALES et al,  
Plaintiff,

Case Number: CV12-03776 JSW

**CERTIFICATE OF SERVICE**

v.

BANK OF AMERICA N.A. et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 30, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jose Rosales  
34 Elkwood Drive  
South San Francisco, CA 94080

Maria Dolores Rosales  
101 A-Hickey Blvd. #119  
South San Francisco, CA 94080

Dated: October 30, 2013



Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk